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Electors

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application Of:

) Group Art Unit: 1632

Mark J. COOPER *et al.*

) Examiner: D. Nguyen

Serial No.: 09/867,693

) Docket No. 003659.00009

Filed: May 31, 2001

)

For: LYOPHILIZABLE AND ENHANCED COMPACTED NUCLEIC ACIDS

RESPONSE TO RESTRICTION REQUIREMENT

RECEIVED

Assistant Director for Patents
Washington, D.C. 20231

NOV 05 2002

TECH CENTER 1600/2900

Sir:

In response to the Restriction Requirement mailed October 2, 2002, applicants elect for prosecution in this application Group II, claims 2, 20, 29, 32, 35, 47-58, 103, 116, 131, 139, 147, 154, 164, and claims dependent therefrom.

In accordance with the Restriction Requirement applicants also elect the following species for prosecution: (a) acetate, (b) polylysine peptide with a cysteine residue, and (c) 23 nm. The Restriction Requirement asserts that a species from group (d) should also be elected. Group (d) is comprised of "named species of monitored assay[s]: see claim 17, for example." The species of monitoring assays are only recited in claims that depend from the method claims of Groups III and IV, and not the claims of Group II. Thus applicants believe that no election of a species from (d) is necessary or appropriate.

Claims 2-7, 9, 20-27, 29-37, 47, 49, 51, 52, 55, 56, 69-73, 75-78, 80-83, 85, 103-110, 112-126, 128-159, 164, and 177-181 read on the elected species.